

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA COUNTY

IN THE MATTER OF ACCESS TO)
CLOSED OR CONFIDENTIAL)
PROBATION & SENTENCING RECORDS)
& INFORMATION)
_____)

ADMINISTRATIVE ORDER
NO. 2003-013

Pursuant to Rule 123, Rules of the Supreme Court of Arizona, and A.R.S. §41-1750 it is hereby ORDERED that the persons identified below shall have access to the court records specified in this ORDER, subject to the conditions set forth below:

1. This ORDER authorizes access by the following individuals to court records for the purpose of conducting research by the Arizona State University West Department of Administration of Justice research study regarding defendants sentenced to the Arizona Department of Corrections for low-level drug offenses:

Professor and Department Chair, Vincent J. Webb, Ph.D.;
Professor Nancy Rodriguez, Ph.D.;
ASU West Department of Administration of Justice students:

Holly Merrill;
Janice Simpson;
Karina Avalos;
Katie Bohner;
Kelley Duggan;
Kristen Jennings;
Lindsey Gunkel;
Anabell Jimenez;
Heather Ruzbasan;
Tiffany Dempsay;
Michelle Neitch;

2. The researchers identified in paragraph 1 shall be permitted to view the records of selected cases as part of the research study. The researchers are permitted to collect data pertinent to the scope of the research project and shall ensure the confidentiality of records in accordance with A.R.S. §41-1750.

3. All persons identified in paragraph 1 shall have access to the case records in those cases selected for inclusion in the Research Study. The study will be conducted during the months of February through April of 2003, or such minimal additional time frame as can be accommodated by the Clerk's Office. The researchers shall not disseminate any information contained in such records to any person not participating in the Research Study.

IT IS HEREBY ORDERED authorizing the Clerk of the Court to provide access to researchers associated with the Arizona State University West project. Upon receipt by the Clerk of a listing of requested case file numbers, arrangements shall be made with Professor Webb or Professor Rodriguez to work at the Clerk's Customer Service Center to review the case files and related confidential materials of selected low-level drug offenders sentenced to Arizona Department of Corrections incarceration between July, 1996 and June, 2000. Such access to records shall be consistent with provisions of all applicable confidentiality statutes, rules, regulations, and Clerk's Office procedures. Release of the records will be for the sole purpose of conducting research related to this project, and for no other purpose.

NOTE: The Clerk has offered to provide reasonable workspace for the researchers at the Customer Service Center located at 601 W. Jackson, Phoenix, AZ. Ample space is available for up to five researchers to work on the project simultaneously. The facility is available to the researchers from 7:00 a.m. to 9:00 p.m. Monday through Friday. Court files and related confidential materials are to remain on the CSC premise at all times, no materials are permitted to leave the building. The Clerk is not expected to provide any copies of materials on a courtesy basis. The Public Records Administrator at the Customer Service Center is to be contacted by either professor, at 602-506-3302, to initiate the project and make all necessary arrangements.

DATED this 17th day of February 2003.

Honorable Colin F. Campbell
Presiding Judge

Original: To be filed with the Clerk of the Superior Court

cc: Hon. Thomas O'Toole, Presiding Criminal Judge
Barbara Broderick, Chief Probation Officer
Michael K. Jeanes, Clerk of the Court
Gordon Griller, Court Administrator
Richard M. Romley, County Attorney